

From: Michael Adackapara
To: Smythe, Mark
Date: 5/11/2009 8:00 AM
Subject: Fwd: Finding on LID

>>> <PAUL.SINGARELLA@LW.com> 5/8/2009 4:53 PM >>>
Mike,

As part of the public comment process, I would like to urge the Board to consider a finding such as the following:

The Regional Board finds there is a growing acceptance by stormwater professionals to integrate LID principles into stormwater management programs and MS4 permits. There remains significant controversy, however, regarding the appropriate requirements and metrics for LID. At the heart of this controversy is a dispute regarding the feasibility and effectiveness of requiring a fixed volume of stormwater to be captured and retained on site for infiltration, reuse, and evapotranspiration, as opposed to permitting a portion of the stormwater to be released off site after it is treated. The Regional Board does not expect on-site retention of 100 percent of the Design Capture Volume, as defined herein, to be feasible or desirable in all instances, or even in the majority of instances. By adding biotreatment BMPs to the LID standard, and permitting pre-treated site runoff from the Design Capture Volume to enter the public storm drain, the Regional Board finds that the Order satisfies legal requirements, provides a significant advance on BMP requirements from the prior Order, and protects water quality.

I believe this finding is consistent with the Board's April 24 direction and I urge the Board to adopt it as a step to make clear the analytical road map that led it to reject the narrow construction of LID.

Thank you for adding this comment to the record for the draft MS4 permit including today's 5:00 p.m. comment deadline.

Kind regards,
Paul

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